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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/933,709	08/22/2001	Charles A. Morris	1533.0520001	6249

41835 7590 05/13/2009

K&L GATES LLP  
HENRY W. OLIVER BUILDING  
535 SMITHFIELD STREET  
PITTSBURGH, PA 15222

EXAMINER
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ART UNIT	PAPER NUMBER
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DATE MAILED: 05/13/2009

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09933709	8/22/01	MORRIS ET AL.	1533.0520001

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**EXAMINER**

Gollamudi S. Kishore, Ph.D

ART UNIT	PAPER
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1612	20090427
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DATE MAILED:

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**Commissioner for Patents**

The appeal brief filed on August 1, 2008 is defective since the "summary of claimed subject matter" appearing on pages 2-4 of the Appeal Brief is deficient because it does not separately map independent claims 18, 22, 26 and 29 to the specification. The Appellant should submit a paper which corrects the Appeal Brief's Summary of claimed subject matter under 37 CFR 41.37 © (1)(V).

Appellant is required to comply with provisions of 37 CFR 41.37(c). To avoid dismissal of the appeal, Appellant must comply with the provisions of 37 CFR 41.37(c) within ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing of this communication. Extensions of time may be granted under 37 CFR 1.136.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gollamudi S. Kishore, Ph.D whose telephone number is (571) 272-0598. The examiner can normally be reached on 6:30 AM- 4 PM, alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Krass Frederick can be reached on (571) 272-0580. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gollamudi S Kishore/  
Primary Examiner, Art Unit 1612